Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

House Bill 152   (Chairman, Judiciary Committee)
                               (By Request – Departmental – State Police)

Judiciary

Handgun Permits - Expiration

This departmental bill alters provisions applicable to the expiration dates of handgun permits. Under current law, a permit expires on the last day of the permit holder's birth month two years after the date the initial permit is issued, and every three years thereafter. Under this bill, the expiration date for the initial permit would be on the last day of the permit holder's birth month three years after the date the initial permit is issued, and every three years thereafter, or on an earlier date designated by the Secretary of State Police not less than two years after the issuance of the permit.

Fiscal Summary

State Effect: Minimal. This bill would defer an estimated $43,100 in general fund revenue from handgun permit renewals from FY 2005 to 2006. Expenditures would not be affected.

(in dollars)	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009
GF Revenue	($43,100)	$43,100	$0	$0	$0
Expenditure	$0	$0	$0	$0	$0
Net Effect	($43,100)	$43,100	$0	$0	$0

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: The Department of State Police (DSP) has determined that this bill has minimal or no impact on small business (attached). Legislative Services concurs with this assessment.

Analysis

Current Law: A person may not wear, carry, or transport a handgun unless the person qualifies under an express exemption or has been issued a permit to carry a handgun. Current exemptions include on-duty law enforcement personnel of the U.S., of Maryland, or of any county or city in Maryland.

To be issued a permit to carry a handgun by the Secretary of State Police, an applicant: (1) must be 18 years of age or older; (2) must not have been convicted of a felony or misdemeanor for which a sentence of imprisonment for more than one year has been imposed or, if convicted, must have been pardoned or been granted relief under federal law; (3) if the person is younger than 30 years of age, must not have been committed to a facility for juveniles for longer than one year or adjudicated delinquent for a crime of violence, a felony, or misdemeanor that carries a statutory penalty of more than two years; (4) must not have been convicted of a controlled dangerous substance violation and must not presently be an addict, a habitual user of a controlled dangerous substance, or an alcoholic; (5) must not exhibit a propensity for violence or instability which may reasonably render possession of a handgun a danger to himself or other law-abiding person; and (6) must have a good and substantial reason to wear, carry, or transport a handgun. "Good and substantial reason" includes a finding that the permit is necessary as a reasonable precaution against apprehended danger.

An initial handgun permit application costs $75; two years after the initial permit, a $50 renewal fee is due and every three years thereafter.

Background: DSP believes that this bill will streamline handgun permit processes and provide some operational efficiencies for its Licensing Division.

State Revenues: DSP handles about 1,425 initial handgun permits and about 2,300 permit renewal requests, annually. Approximately 50% of the annual permit renewals are first time renewals. DSP estimates that, under this bill, 75% of the first time renewal fees (or $43,125) would be lost in fiscal 2005, but recovered in fiscal 2006. After fiscal 2006, permit renewal revenue should remain relatively stable as all permit renewals would come due on a three-year cycle.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of State Police, Department of Legislative Services

Fiscal Note History: First Reader - March 11, 2004
mh/jr

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